

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

CONSTANCE ALEXANDER and
PETULA ALEXANDER and DINORAH
WILLIAMS,

Plaintiffs,

v.

STEADFAST INSURANCE COMPANY
(STEADFAST),

Defendant.

CASE NO. 1:20-CV-38

JURY TRIAL DEMANDED

FIRST JOINT MOTION FOR EXTENSION OF DEADLINES

COME NOW the Parties, by and through the undersigned counsel, and pursuant to Rules 6 and 6-2 of the Federal Rules of Civil Procedure hereby move to extend the discovery deadlines in this matter for the following reasons.

In support of the Motion the parties state the Parties have tried in good faith to comply with the scheduling order issued by this Court on June 2, 2023. Defendants served Plaintiffs with written discovery demands on June 13, 2023. Plaintiffs served written discovery demands to the Defendant on August 21, 2023. Plaintiff Williams served her discovery responses to Defendant on September 23, 2023. Plaintiff Constance Alexander served his discovery responses to Defendant on October 22, 2023. Plaintiff Petula Alexander served her discovery responses on Defendant on September 27, 2023. As of the filing of this motion, Defendant has yet to serve their discovery responses on Plaintiff, although it did request and receive an extension of time to do so.

Due to the age of the underlying incidents in this case, both parties had a difficult

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time completing written discovery in a timely fashion. Unfortunately, until written discovery is completed, neither party was able to proceed with scheduling depositions. Further, a key witness in this case, Thomas Crossland, has left the territory and was only recently located. Depositions of the Plaintiffs and the Defendant's 30(b)(6) representative have been scheduled and the notices of those depositions have been filed. Mr. Crossland's deposition has not yet been set as both parties are attempting to contact him to set that deposition, hopefully without the necessity of an out of state subpoena.

The parties therefore, request extensions of time to complete fact discovery and all of the subsequent deadlines..

Rule 6 of the Federal Rules of Civil Procedure provides:

When an act may or must be done within a specified time, the court may, for good cause, extend the time with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.

The instant request is jointly made by the Parties so no prejudice will inure to either of them. The Parties have acted in good faith as is evidenced by the fact that depositions have been set and noticed and the parties have worked together to locate a key witness. This is the first request for extensions of deadlines. The parties reviewed the June 2, 2023, Scheduling Order of this Court and kept the dispositive motion deadline the same so the "end" date remains the same. The parties simply seek to move fact discovery out by approximately seventy-five (75) days and then shortened some of the other periods of time between

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deadlines to end up with the same dispositive motion deadlines this Court previously ordered. The issuance of a revised scheduling order will permit the Parties to complete depositions and engage in mediation which may be helpful to the resolution of the case, and which are necessary before the case can proceed to trial.

As such, the parties submit the following as a proposed Scheduling Order:

1. FACTUAL DISCOVERY

All factual discovery, including written discovery and fact witness depositions, shall be completed by **February 16, 2024**.

2. MEDIATION

Mediation shall be completed no later than **March 1, 2024**.

3. PLAINTIFF'S EXPERT DISCLOSURES

Plaintiff's expert disclosures pursuant to Federal Rule of Civil Procedure 26(a) (2) shall be submitted by **April 1, 2024**.

4. DEFENDANT'S EXPERT DISCLOSURES

Defendant's expert disclosures pursuant to Federal Rule of Civil Procedure 26(a) (2) shall be submitted by **May 1, 2024**.

5. EXPERT DEPOSITIONS

Expert depositions shall be completed by **May 31, 2024**.

6. MOTIONS

All dispositive motions shall be filed by **June 22, 2024**.

7. STATUS CONFERENCE

A status conference will be scheduled by the Court.

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8. TRIAL DATE

A trial date will be scheduled by the Court.

WHEREFORE the Parties jointly request that the Court issue a revised scheduling order in the form attached hereto.

RESPECTFULLY SUBMITTED
LEE J. ROHN AND ASSOCIATES, LLC
Attorneys for Plaintiffs

DATED: November 6, 2023

BY: /s/ Jennifer S. Koockogey-Lajoie
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DATED: November 6, 2023

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Attorneys for Steadfast

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on November 6, 2023, I electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send a notification of such filing to the following:

Justin Crocker, Esq.
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BY: /s/ Jennifer S. Koockogey-Lajoie (nd)